IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR
&
THE HONOURABLE MR. JUSTICE K.T.SANKARAN

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 9574 of 2006(M)

PETITIONER:

MADASAMY,
AGED 55 YEARS, S/O.RAMAYYA,
KALLAR ESTATE, FACTORY DIVISION,
K D H VILLAGE, MUNNAR, DEVICULAM TALUK.

BY ADV. SRI.T.J.MICHAEL
ADV. SRI.P.NOOR SEMIR

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY DEPUTY SUPERINTENDENT OF POLICE,
MUNNAR.

2. STATION HOUSE OFFICER,
MUNNAR POLICE STATION,
MUNNAR.

3. TATA TEA LIMITED,
REP. BY GENERAL MANAGER,
REGIONAL OFFICE, MUNNAR,
K D H VILLAGE, DEVIKULAM TALUK.

4. THE MANAGER, SEVENMALAI ESTATE,
TATA TEA LIMITED,
K D H VILLAGE, DEVIKULAM TALUK.

R1 BY GOVERNMENT PLEADER SHRI SALIM P.A.
R3 BY ADV. SRI.JOSEPH MARKOSE
ADV. SRI.JOSEPH KODIANTHARA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1	:	TRUE COPY OF PATTA NO.9898/1982 ISSUED BY SPL. TAHSILDAR (LA) DEVICULAM DATED 19.02.2005.
EXT.P2	:	TRUE COPY OF ADINTERIM INJUCNTION ORDER PASSED IN I.A.No.286/05.
EXT.P3	:	ORDER IN I.A.NO. 286/05 DATED 22.03.2005 EXTENDING THE AD-INTERIM INJUNCTION ORDER UNTIL FURTHER ORDERS.
EXT.P4	:	COPY OF COMPLAINT SUBMITTED TO 1ST RESPONDENT DATED 10.07.2004.
EXT.P5	:	COPY OF COMPLAINT SUBMITTED TO S.I. OF POLICE, MUNNAR DATED 03.09.2005.
EXT.P6	:	COMMISSION REPORT FILED BY ADVOCATE COMMISSIONER MANISH THOMAS DATED 21.03.2005.

/TRUE COPY/

P.A. TO JUDGE.

K. BALAKRISHNAN NAIR & K.T. SANKARAN, JJ.

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W.P(C) No. 9574 OF 2006

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Dated this the 3rd August , 2007

J U D G M E N T

Balakrishnan Nair, J:

The petitioner has approached this Court, seeking the following relief:

> *"To pass necessary writ , direction or order to respondents 1 and 2 to provide necessary protection to petitioner to enjoy the property for which he has got title and possession without unnecessary interference from respondents 3 and 4 and men under them."*

2. For the above relief, the petitioner has to approach the civil court. Learned counsel for the respondent Nos. 3 and 4 submit that the petitioner had already approached the civil court and had obtained an ex parte interim injunction. On the strength of the said injunction, the petitioner has approached this court. The said interim injunction has already been vacated, it is submitted.

In view of the above position, no relief could be granted to the petitioner in this Writ Petition. Accordingly, it is dismissed.

K. BALAKRISHNAN NAIR
JUDGE.

K.T. SANKARAN,
JUDGE.

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